

BEFORE THE  
PUBLIC SERVICE COMMISSION OF WISCONSIN

Application of Wisconsin Power and Light	)	
Company and Wisconsin Electric Power	)	
Company for a Certificate of Authority to	)	
Install a Selective Catalytic Reduction	)	5-CE-137
System for Nitrogen Oxide Removal on	)	
Unit 5 at the Edgewater Generating	)	
Station, Sheboygan County, Wisconsin	)	

Second Prehearing Conference

Prehearing Conference Held

August 13, 2009

Pages

6 to 9, Incl.

A P P E A R A N C E S

WISCONSIN POWER AND LIGHT COMPANY

By  
Michael S. Greiveldinger  
Scott R. Smith  
PO Box 77007  
Madison, WI 53707-1007

WISCONSIN ELECTRIC POWER COMPANY

By  
Kate Phillips (via speakerphone)  
Paul Farron (via speakerphone)  
231 West Michigan Street  
Milwaukee, WI 53203

CITIZENS UTILITY BOARD and  
CLEAN WISCONSIN

Both by  
Kira Loehr  
Cullen Weston Pines & Bach  
122 West Washington Avenue, Suite 900  
Madison, WI 53703

SIERRA CLUB

By  
Pamela McGillivray (via speakerphone)  
McGillivray Westerberg & Bender LLC  
634 West Main Street, Suite 101  
Madison, WI 53703

FOR THE COMMISSION:

Diane M. Ramthun, Assistant General Counsel  
Office of General Counsel

OF THE COMMISSION STAFF:

Scot Cullen  
Jim Lepinski  
Gas and Energy Division

1                                   BEFORE THE  
2                                   PUBLIC SERVICE COMMISSION OF WISCONSIN  
3

4       Application of Wisconsin Power and Light       )  
5       Company and Wisconsin Electric Power       )  
6       Company for a Certificate of Authority to       )  
7       Install a Selective Catalytic Reduction       )     05-CE-137  
8       System for Nitrogen Oxide Removal on       )  
9       Unit 5 at the Edgewater Generating Station,) )  
10      Sheboygan County, Wisconsin                       )

11  
12                               Second prehearing conference was held August 13,  
13                               2009, at 9:30 am in the Public Service Commission Office  
14                               Building, Madison.

15  
16                               Presiding:   ADMINISTRATIVE LAW JUDGE NEWMARK  
17

18                               ALJ NEWMARK:   Let's get on the record.

19                               We're on the record in docket 05-CE-137, the  
20                               Application of Wisconsin Power and Light and Wisconsin  
21                               Electric Power Company for a Certificate of Authority to  
22                               Install a Selective Catalytic Reduction System for  
23                               Nitrogen Oxide Removal on Unit 5 of the Edgewater  
24                               Generating Station.   This is the second prehearing to  
25                               discuss scheduling.   It's about 9:45.   This was

1 scheduled for 9:30. We've had some formal discussion  
2 for about 15 minutes.

3 After listening to -- observing that discussion  
4 and listening to the positions of the participants, we  
5 have a number of proposals, and we're going to -- I am  
6 going to order a schedule what we've been discussing as  
7 staff's original proposal.

8 When I indicate that parties and staff have  
9 worked hard to try to accommodate each other, staff work  
10 load is extensive at this point and looking at both  
11 staff workload and how the record can best be created in  
12 order to provide enough time between prefiled testimony  
13 deadlines and considering the workload of staff, I think  
14 the staff's original proposal is going to be the most  
15 reasonable for that purpose of creating an accurate,  
16 complete record which would benefit us all and will make  
17 the -- ultimately expedite the proceeding to the best of  
18 our ability.

19 Somebody read out the dates here. We have the  
20 applicant's direct testimony, October 20.

21 Staff and intervenor direct testimony,  
22 December 8.

23 All rebuttal testimony, December 22.

24 Surrebuttal, January 12.

25 Technical hearing -- let me correct that. We

1 will just call it the hearing, January 19.

2 All the filing deadlines will be at noon, and  
3 just to note that at the hearing people can testify that  
4 aren't parties. Since we're just going to do that one  
5 day, we will call it a hearing. I will take comments  
6 from the members of the public at the beginning of that  
7 time.

8 Do you have any other issues?

9 MR. GREIVELDINGER: Your Honor, if I may just  
10 for the record reiterate WPL's concern.

11 ALJ NEWMARK: Go ahead.

12 MR. GREIVELDINGER: WPL is concerned about the  
13 hearing date. We're concerned relative to our  
14 construction schedule. One of the points we brought up  
15 in the off-the-record discussion and conversations with  
16 staff on other occasions, the later schedule could have  
17 potential risks relative to further reduction of  
18 floating the schedule and potentially needing to  
19 expedite to ensure, depending on the Commission's  
20 decision on the project, can be completed in a timely  
21 basis to meet regulatory requirements.

22 We also had floated the idea of setting a  
23 briefing schedule now and indicated that WPL would be  
24 seeking a quick briefing schedule. We intend to do so  
25 at the hearing.

1 ALJ NEWMARK: Okay. Thanks.

2 Any other comments?

3 No? Other issues? I just want to let people  
4 know I will be issuing another prehearing memo, and that  
5 memo has evolved over time since the last one that was  
6 issued in this case. I have been inserting some general  
7 requirements for filing -- filing standards and some  
8 other rules of procedure. They've been acceptable in  
9 all the other cases. I am going to issue it, and I can  
10 entertain requests to reconsider particular items if  
11 something comes up as a problem. Since you haven't  
12 gotten a chance to look at it in advance which I have  
13 been giving in other proceedings, parties have gotten a  
14 chance to look at it in advance, things like how to  
15 file, where to put page numbers, a lot of it is minutia  
16 that helps the prefiling process. So I will issue it,  
17 and I will allow some time for parties to comment.  
18 Otherwise, it will just go without comment, and it will  
19 just be effective.

20 So any other comments?

21 No? Okay. We're adjourned, and January 19, see  
22 you then.

23 (Prehearing conference closed)

24 aff

25 August 14, 2009

BEFORE THE  
PUBLIC SERVICE COMMISSION OF WISCONSIN

Docket No. 5-CE-137

Second Prehearing Conference

I, Adela F. Felic, hereby certify that, as an official reporter for the Public Service Commission of Wisconsin, I took down the proceedings had before the Commission in the foregoing matter on the 13th day of August, 2009, and that the attached is a true and correct transcription of the said notes and of the whole thereof.

-----*Adela F. Felic*-----  
Reporter  
PUBLIC SERVICE COMMISSION OF WISCONSIN